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**VIA ELECTRONIC CORRESPONDENCE**

October 5, 2016

CCN: 60603  
File No: 8.DC.19.82

Chief, Environmental Enforcement Section  
Environment and Natural Resources Division  
U.S. Department of Justice  
P.O. Box 7611  
Ben Franklin Station  
Washington, D.C. 20044-7611  
RE: DOJ No. 90-5-1-1-4022/1  
[Tom.Mariani@usdoj.gov](mailto:Tom.Mariani@usdoj.gov)

Chief, Clean Water Enforcement Branch  
Water Protection Division  
Attn: Brad Ammons  
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Florida Department of Environmental Protection  
Southeast District – West Palm Beach  
3301 Gun Club Road, MSC 7210-1  
West Palm Beach, FL 33406  
Attn: Compliance/Enforcement Section  
[Diane.Pupa@dep.state.fl.us](mailto:Diane.Pupa@dep.state.fl.us)

**RE: Consent Decree (Case: No. 1:12-cv-24400-FAM)**  
**Reference DOJ Case No. 90-5-1-1-4022/1**  
**Section VI – Specific Capital Improvement Projects, Paragraph 19(i)**  
**Section XX – Modification**  
**2016 Request for Modification of Non-Material Changes to Interim Milestones Report**  
**No. 4**

Dear Sir/Madam:

Pursuant to our past discussions, Miami-Dade County respectfully requests approval of modifications for non-material changes to Appendix D-2 in conformance with Sections VI.19(i) and XX of the referenced Consent Decree. Attached for your review and approval is the 2016 Request for Modification of Non-Material Changes to Interim Milestones Report No. 4 table containing the non-material modifications to certain dates for phased work in Appendix D-2.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering such information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Should you have any questions regarding this matter, please call me at (786) 552-8120.

Sincerely,

  
Bertha Goldenberg, P.E., LEED® Green Associate  
Assistant Director, Regulatory Compliance and Planning

Attachment: 2016 Request for Modification of Non-Material Changes to Interim Milestones Report No. 4

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**Attachment:  
2016 Request for Modification of Non-Material Changes to Interim  
Milestones Report No. 4**

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**2016 Request for Modification of Interim Milestones Table**

Project ID	Project Name	Activity Name	START DATES			END DATES			NOTES
			Original CD Start Date	EPA Approved Start Date	Requested Modification to Start Date	Original CD End Date	EPA Approved End Date	Requested Modification to End Date	
1.2.2	SD Oxygen Production	Permitting	24-Aug-15	30-May-16	NC	22-Aug-16	25-Nov-16	31-Mar-17	Permitting activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
1.03.1	SD Oxygenation Trains	Design	1-Nov-16	1-Nov-16	31-Dec-16	17-Jul-17	17-Jul-17	NC	Engineering Design activities will begin after the interim milestone date. Currently there is no anticipated impact to the project compliance date.
1.7.3	Digesters and Control Building	Procurement	27-Jul-15	13-Dec-16	31-Jan-17	25-Jul-16	8-Sep-17	NC	Procurement activities will begin after the interim milestone date. Currently there is no anticipated impact to the project compliance date.
1.9.4	FOG Removal Facility	Construction	2-May-16	13-Dec-16	31-Jan-17	7-Dec-17	7-Dec-17	NC	Construction activities will begin after the interim milestone date. Currently there is no anticipated impact to the project compliance date.
1.11.1	SD General Electrical	Design	1-Nov-16	1-Nov-16	31-Dec-16	28-May-17	28-May-17	NC	Engineering Design activities will begin after the interim milestone date. Currently there is no anticipated impact to the project compliance date.
2.15.1.3	Digesters Plant 2 - Cluster 1	Procurement	7-Apr-15	28-Mar-16	NC	5-Apr-16	4-Nov-16	31-Dec-16	Procurement activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
2.15.4		Construction	6-Apr-16	24-Sep-16	NC	18-Nov-17	18-Nov-17	30-Apr-18	Follow on activities have been pushed out due to late finish of procurement (see above). Currently there is no anticipated impact to the project compliance date.
2.22.2	Pump Station No.2	Permitting	6-Feb-15	6-Feb-15	NC	5-Feb-16	9-Nov-16	15-Dec-16	Permitting activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
2.27.2	CD Oxygen Production	Permitting	1-Jan-16	21-Nov-16	15-Apr-17	30-Dec-16	5-Mar-17	NC	Permitting activities will begin after the interim milestone date. Currently there is no anticipated impact to the project compliance date.
3.1.4	ND Headworks & Sludge Degritting	Construction	1-Oct-15	23-Dec-15	NC	23-Dec-16	23-Dec-16	28-Feb-17	Construction activities for phase I will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
4.5.3	South Dade 54" PCCP FM Rehab	Procurement	7-Apr-15	7-Apr-15	NC	5-Apr-16	14-Oct-16	15-Dec-16	Procurement activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
4.5.4		Construction	6-Apr-16	15-Oct-16	16-Dec-16	27-Nov-17	27-Nov-17	NC	Follow on activities have been pushed out due to late finish of procurement (see above). Currently there is no anticipated impact to the project compliance date.

**2016 Request for Modification of Interim Milestones Table**

Project ID	Project Name	Activity Name	START DATES			END DATES			NOTES
			Original CD Start Date	EPA Approved Start Date	Requested Modification to Start Date	Original CD End Date	EPA Approved End Date	Requested Modification to End Date	
5.3.2	Upgrade PS#0692	Permitting	10-Aug-14	10-Aug-14	NC	9-Aug-15	8-Nov-16	31-Mar-17	Permitting activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
5.3.3		Procurement	10-Aug-15	9-Nov-16	1-Apr-17	8-Aug-16	5-Aug-17	NC	Follow on activities have been pushed out due to late finish of permitting (see above). Currently there is no anticipated impact to the project compliance date.
5.4.2	Upgrades of PS#0414	Permitting	8-Jun-14	14-May-15	NC	7-Jun-15	6-Oct-16	31-Dec-16	Permitting activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
5.5.2	Upgrades of PS#0415	Permitting	10-Aug-14	10-Aug-14	NC	9-Aug-15	2-Dec-16	31-Jan-17	Permitting activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
5.6.2	Upgrades of PS#0416	Permitting	8-Jun-14	14-May-15	NC	7-Jun-15	20-Oct-16	31-Jan-17	Permitting activities will begin after the interim milestone date. Currently there is no anticipated impact to the project compliance date.
5.6.3		Procurement	8-Jun-15	8-Jun-15	NC	6-Jun-16	24-Jan-17	31-Mar-17	Follow on activities have been pushed out due to late finish of permitting (see above). Currently there is no anticipated impact to the project compliance date.
5.7.2	Upgrades of PS#0417	Permitting	10-Aug-14	10-Aug-14	NC	9-Aug-15	18-Oct-16	31-Jan-17	Permitting activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
5.7.3		Procurement	10-Aug-15	19-Oct-16	1-Feb-17	8-Aug-16	16-Apr-17	NC	Follow on activities have been pushed out due to late finish of permitting (see above). Currently there is no anticipated impact to the project compliance date.
5.9.3	Upgrades of PS#0301	Procurement	8-Jun-15	8-Jun-15	NC	6-Jun-16	3-Nov-16	31-Mar-17	Procurement activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
5.9.4		Construction	7-Jun-16	4-Nov-16	1-Apr-17	9-May-18	9-May-18	NC	Follow on activities have been pushed out due to late finish of procurement (see above). Currently there is no anticipated impact to the project compliance date.
5.11.2	Install 60" FM from Kendal Dr. to PS#0536	Permitting	8-Jun-14	14-May-15	NC	7-Jun-15	23-Oct-16	31-Dec-16	Permitting activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
5.12.3	Replace S/G at PS#0187	Procurement	8-Jun-15	8-Jun-15	NC	6-Jun-16	19-Nov-16	31-Mar-17	Procurement activities will extend beyond the interim milestone date. Currently there is no anticipated impact to the project compliance date.
5.12.4		Construction	7-Jun-16	20-Nov-16	1-Apr-17	9-May-18	9-May-18	NC	Follow on activities have been pushed out due to late finish of procurement (see above). Currently there is no anticipated impact to the project compliance date.

NC: No change is requested.